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Eleventh session

SUMMARY RECORD OF THE 193rd MEETING

Held at Headquarters, New York,
on Wednesday, 22 January 1992, at 10 a.m.

Chairperson: Ms. TALLAWY

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Consideration of reports submitted by States parties under article 18 of the Convention (continued)

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial, second and third reports of Honduras (CEDAW/C/5/Add.44, CEDAW/C/13/Add.39 and Amend.1 and CEDAW/C/HON/3)

1. At the invitation of the Chairperson, Ms. Rosales Paz (Honduras) took a place at the Committee table.

2. Ms. ROSALES PAZ (Honduras) said that Honduras was predominantly an agricultural country; women made up 50.3 per cent of the total population of 4.2 million. Sixty per cent of the population lived in rural areas.

3. Since 1979, Honduras had been experiencing rapid social and economic decline owing to the impact of the regional crisis on the most vulnerable sectors of its economy and population. Massive migration from the countryside to urban areas was one of the most serious problems facing the Government, as it placed an increased strain on social services. Although a substantial number of women from rural areas managed to survive in the cities by working in the informal sector, many others lacked employment or resorted to domestic service. The earnings of rural women in the informal sector were very low. In rural areas, women engaged mainly in unremunerated domestic activities, performing such traditional tasks as carrying water, bringing grain to the mill, collecting firewood and so on. The time devoted by women to unpaid and poorly paid labour prevented them from obtaining an education or contributing to their children's development or that of the community.

4. Despite the serious consequences of deforestation, including the lack of firewood and safe drinking water, it had so far proved impossible to enlist disadvantaged groups in efforts to protect the environment.

5. The difficulties facing Honduran women resulted from many factors, including the impact of the structural adjustment programmes which the Government had carried out with the support of the World Bank and the International Monetary Fund. Nevertheless, Honduras, together with its Central American partners, had developed national and regional action plans to improve the living conditions of its people, particularly women.

6. Within Central America, Honduras was the country most severely affected by the acquired immunodeficiency syndrome (AIDS) epidemic. In combating AIDS, the Government was focusing on control and detection efforts. Under the auspices of the Ministry of Health, counselling was provided to persons infected with the human immunodeficiency virus (HIV). In 1991, 350 middle-school teachers had been trained in sex education and AIDS prevention.

(Ms. Rosales Paz, Honduras)

7. The National AIDS Control Programme had developed strategies to prevent the transmission of the disease which were being implemented in various communities. Courses on sexuality, gender roles and other sexually transmitted diseases were being given not only to teachers and health-care professionals, but also to midwives and rural and working women through women's organizations. In particular, workshops for rural women focused on encouraging safe sexual practices and promoting economic independence.

8. The National AIDS Control Programme, in coordination with the National Cancer Control Programme, was conducting a campaign to urge women to have regular pelvic examinations and Pap smears for the purpose of detecting malignancies at an early stage.

9. According to data provided by the Ministry of Health, 1,417 AIDS cases had been registered by September 1991, representing more than half the number of cases in the region. Of those, 1,109 had been confirmed and 308 were provisional. The majority of those known to have AIDS were men, including homosexuals, while the remainder were women and children. The number of AIDS cases among women reflected their subordinate status and low self-esteem. Women did not attend to their basic health needs because their roles as mothers, wives, home-makers and nurturers robbed them of opportunities for self-realization.

10. Various projects had been carried out to improve the economic status of rural women through the establishment of mills, bakeries and shops, the improvement of marketing systems and the cultivation of basic grains. Other activities had concentrated on training, the promotion of organizational and leadership abilities among women and the expansion of adult literacy.

11. With regard to legislative reform, the Agrarian Reform Act had been amended to enable land title to be awarded to single and childless women. Efforts were also under way to revise the definition of sexual crimes in the Penal Code, which reflected outmoded and sexist concepts.

12. Turning to the question of social services, she said that the Government was providing direct subsidies to improve the health and nutrition of mothers and children in extreme poverty. Among the positive results of the project were improved school attendance rates. Another project, begun in 1991, had enabled 505 women in various regions to take courses in baking, dressmaking, the cultivation of basic grains and community and family vegetable gardens, poultry raising, basic accounting and floristry. It was anticipated that in 1992 the training programme would be extended to a further 10,000 women.

13. A food stamp programme had been introduced for pregnant women, nursing mothers and children under five in the areas considered poorest by the Ministry of Health. During 1991, 56,000 people had benefited from the programme. The Department of Primary Education had also upgraded school meals and pupils were being taught to grow food in school gardens.

(Ms. Rosales Paz, Honduras)

14. In 1990, the Government had created the Honduran Social Investment Fund (HSIF) to carry out special employment policies under the social compensation scheme. The purpose of the Fund was to promote improvements in the living conditions of marginal social groups in rural and urban areas, by financing social or economic development projects in order to increase their productivity and employment and income levels and help meet their basic needs.

15. The overall aim of the HSIF programme of support to the informal sector was to promote economic democratization by improving the living conditions of underprivileged groups in urban and rural areas. The programme funded production, service and commercial activities through private development organizations and communal banks and targeted small businesses, most of which were run by women. Funded projects had three components: free training and technical assistance and access to loans.

16. The Ministry of Education had studied the need for the revision of school textbooks to eliminate stereotypes of women that could foster discriminatory perceptions in children's minds. Since such stereotypes had a greater impact on children during their early school years, schoolbooks at the kindergarten and primary levels were especially in need of revision. With training from UNICEF, the Educational Commission for Women's Affairs had already undertaken to correct the sex stereotyping in textbooks for a number of subjects.

17. Such efforts would be reinforced by the Commission on Women's Affairs of the National Congress, which had called attention to advertising in the media that was offensive to women, young people and children, linking the use of alcohol and tobacco products to sports or sex. In future, such advertising was to be regulated by the National Congress.

18. Agreement had been reached with FAO and other agencies to promote income- and employment-generating activities that preserved the ecological balance.

19. Lastly, the First Ladies of the region had set up a cooperation office to support the Commission on Social Affairs that was to oversee compliance with the commitments made during Central American meetings. At the Tenth Meeting of Presidents, held at Tegucigalpa on 12-13 January 1992, an agreement had been signed with UNICEF on financing social welfare programmes through the purchase of Honduran foreign debt. Central American integration would make it easier to promote the sustained, all-round development that was a prerequisite for meeting social goals.

20. Ms. AKAMATSU expressed appreciation for the efforts made to improve the status of women in Honduras. She did have some questions, however, about the national machinery used to promote the rights of women in Honduras. What organizations were involved in promoting the implementation of the Convention?

21. Ms. NIKOLAEVA said that from the report, it seemed that the Convention had had a very positive impact on the Honduran Government's policies regarding women's rights. The Government had ratified the Convention in 1982 and, since then, had introduced many positive reforms relating to various aspects of women's life in society. Equality for women had been approached on an entirely new basis.

22. Two aspects of government policy seemed to merit comment. First, legislation affecting women had been improved through recent reforms. A new Penal Code had been introduced, as had new codes on the family, labour and agrarian reform; efforts had been made to eliminate discrimination in education; and reforms had been made in the participation of women in political life. Great strides had been made in incorporating the Convention into domestic law. Secondly, measures had been taken to improve the lives of rural women. States' reports tended to ignore the problems of rural women, yet it was they who suffered the worst discrimination. It was gratifying to note that Honduras had not ignored rural women, who should be involved in agrarian reform. Some women had in fact received land of their own or were managing projects. The Committee should also take note of the literacy programmes introduced for rural women, which should be further developed.

23. Ms. ABAKA said that many obstacles remained to the full implementation of the Convention, but that the Honduran Government was aware of its shortcomings, which were caused chiefly by a lack of resources. It should be recalled that Honduras was geographically vulnerable and had been exposed to prolonged internal and border conflicts. It was difficult for any country to implement the Convention when its economy was in such straits. She expressed sympathy for the women and children of Honduras, who were even more vulnerable in such situations, and hoped that Honduras would be able to break the vicious circle of poverty.

24. Ms. CORTI said that she had found the description of the AIDS situation in Honduras most worrisome. Fortunately, Honduras was making great efforts to detect and treat the illness.

25. It seemed that the revisions to the Penal Code had left much to be desired; she wondered whether further revisions were pending in Parliament. She had considerable reservations, for instance, concerning the penalty for the murder of a spouse and his or her lover - only four to six years' imprisonment - a crime for which much more severe punishment was meted out in other countries.

26. Ms. LAIOU-ANTONIOU expressed concern that foreign financial aid to Honduras was being distributed by male-dominated committees. Men decided what plans and projects were to be funded, usually to the detriment of women's needs. She wondered how the national machinery might give women a say in distributing foreign aid money.

Article 2

27. Ms. BRAVO NUNEZ DE RAMSEY said it seemed that Honduras had adequate legal provisions to promote equality for women but that other factors such as customs, economic limitations and resistance to change prevented the full implementation of those provisions. She asked for further information on the Honduran family code, especially in respect of women's entitlement to maintenance from their husbands for themselves and their families under article 42.

28. Ms. ILIC asked why it was indicated, in paragraph 9 (1) of the third periodic report, that the physical and organic damage and the moral trauma engendered in a "male" victim might be more serious than in a woman, in cases of rape. Did that view have a scientific basis or was it simply an instance of prejudice against women?

29. Ms. LAIOU-ANTONIOU expressed surprise that article 122 of the 1984 Criminal Code provided for a prison sentence of only four to six years for cases where death or injury was caused to an adulterous spouse. She asked whether there were any plans to reform that provision.

Article 3

30. Ms. BUSTELO GARCIA del REAL said that the Government of Honduras must ensure that its legislation was implemented in respect of all women, including less-educated women or women living in isolated or disadvantaged rural areas. The third periodic report referred to a plan of action for policies related to women, but no systematic information was given about its objectives, time-frame, budget or priorities, or about the mechanisms for its implementation and for coordination between different ministries and organizations. She requested further information on how the plan of action had been implemented, especially with the limited resources available.

31. Ms. BRAVO NUNEZ DE RAMSEY said that the absence of equal pay for equal work in Honduras and the great discrepancies between the wages of men and women gave rise to a situation of economic dependency which aggravated the plight of women. She asked what programmes were being developed by the Honduran Government and non-governmental organizations to overcome that problem.

Article 4

32. Ms. ILIC asked why Honduras had not taken any temporary special measures to ensure de facto equality between men and women, even though it had ratified the Convention in 1982.

33. Ms. ABAKA said that the statement under article 4 in the third periodic report that suggested that employers discriminated against women to whom they might have to provide maternity benefits, contradicted the indication under article 5 that there was a need to impose sanctions on discriminatory

(Ms. Abaka)

practices and dismissal on grounds of sex or civil status. She asked for an explanation.

34. Ms. TALLAWY asked why the Honduran Government had referred to the question of maternity benefits in connection with article 4 of the Convention.

Article 5

35. Ms. BUSTELO GARCIA del REAL, referring to General Recommendation No. 12, asked for further information about the legislation in force to protect women against all kinds of violence; other measures adopted to eradicate such violence; and the existence of support services for women, especially less educated women and women living in remote areas. She requested statistical data on the incidence of violence of all kinds against women and on women who were the victims of violence.

36. Ms. EVATT asked for further information on Honduran legislation against sexual harassment in the workplace and on any decisions that had been taken with regard to its implementation.

37. Ms. GONZALEZ MARTINEZ said that the Committee had recognized that article 5 was central to the application of the Convention and to all action to eliminate discrimination against women. She asked whether efforts were being made by the Honduran Government to coordinate its actions with women's organizations, if they existed, or non-governmental human rights organizations. She asked what was being done to protect Honduran women who emigrated and were exposed to the risks of violence and human rights violation and whether there was a specific programme for refugee women who sought refuge in Honduras or for refugees in general.

Article 6

38. Ms. BUSTELO GARCIA del REAL said that further information was needed on the legislation regarding prostitution and on the effectiveness of such legislation. The Committee needed to have statistics on the number of prostitutes that would show whether their number was increasing or declining, and also figures on the number of women who emigrated from Honduras to other countries. She asked whether there were contacts with non-governmental organizations or consulates abroad to protect women from violence and abuse and whether there were any specific programmes in respect of women and AIDS.

39. Ms. EVATT asked whether there were any laws giving the same protection against rape and violence to prostitutes as to other women, so that they would have equal protection under criminal law.

Article 7

40. Ms. ABAKA asked whether article 36 of the Honduran Constitution implied that Hondurans under the age of 18 were not citizens. She asked why active servicemen in the armed forces and security forces or State police were not allowed to vote.

Article 9

41. Ms. AKAMATSU asked for information about the nationality of children, as required under article 9, paragraph 2, of the Convention.

Article 10

42. Ms. BRAVO NUNEZ DE RAMSEY asked for further information about education in Honduras and for statistics on school attendance and on attendance at higher and middle-level educational institutions by Honduran women.

Article 11

43. Ms. AKAMATSU noted that the Honduran Labour Code provided for a very long period of paid maternity leave (10 months) without loss of employment or seniority; that provision could be discriminatory. She noted that in many countries the period of compulsory maternity leave was much shorter but that there were optional child-care leave systems for longer periods which were also available to fathers. The provision of the Honduran Labour Code referred to in paragraph 79 of the third periodic report seemed to imply that women were intellectually and morally inferior to men.

44. She asked whether there was any provision in the Honduran Labour Code guaranteeing equality of opportunity and treatment for men and women in the workplace and requested statistics on the actual situation of employed women in Honduras.

45. Ms. ALFONSIN DE FASAN asked how many women attended courses at the Vocational Training Institute (para. 47) and also whether trade union organizations had done anything to ensure equal opportunities for women in employment, and whether they could operate freely.

46. Ms. GONZALEZ MARTINEZ said that the report should have contained data about the percentage of women in the labour force, preferably by sector. She asked to what extent women participated in the máquila (semi-processing) industry and what protection there was for them. She asked whether employers ever checked women workers before they were hired to make sure they were not pregnant or gave them periodic examinations to check that they had not become pregnant; such practices would be a violation of human rights and of women's rights.

Article 12

47. Ms. BUSTELO GARCIA del REAL asked whether obstetrical complications were still the main cause of mortality among young women and, if so, whether health programmes gave priority to women's health care, especially in respect of childbirth and family planning. Recent data were needed to show what results had been achieved in improving the health of women and children. She asked whether abortion was permitted in Honduras, whether deaths from clandestine abortions were included in maternal mortality figures and whether pregnant women with AIDS had the right to an abortion.

48. Ms. ALFONSIN DE FASAN said that the report indicated that although women had access to contraceptives and family planning services, there was some reluctance to take advantage of them. She asked what steps were being taken to remedy that situation, especially in view of the AIDS threat.

49. Ms. EVATT asked for information about the number of women who died each year as a result of clandestine abortions.

50. Ms. UKEJE asked, with reference to paragraphs 73 and 74 of the third periodic report, whether women were, in practice, aware of their rights under the law, whether they had the resources to exercise those rights, and whether the legal provisions to protect the rights of women in employment did not in fact work to their disadvantage, by discouraging potential employers from hiring them.

Article 14

51. Ms. QUINTOS-DELES asked whether the purpose of Government programmes to promote rural women was to treat them as farmers, equal to their male counterparts and with equal access to technical production support, or merely to reinforce their position as helpmates to male farmers, without recognizing the contribution already made by women to mainstream agricultural production.

52. Ms. CORTI said, with regard to the health of rural women, that the use of volunteer medical services should be developed further. She wondered what steps were being taken to improve health care for rural women, in view of the scarcity of medication. With reference to the organization Family Planning (para. 119), she asked whether its activities were restricted to selling milk and providing a prescription service or whether it also provided family planning education. Lastly, she noted the resistance shown by men to their wives or partners joining cooperatives, but stressed that the establishment of agricultural cooperatives among women was an important step towards women's emancipation, enabling them to attain economic independence, and should therefore be strongly promoted.

Article 15

53. Ms. AKAMATSU said, with reference also to article 16 of the Convention, that the new Family Code enacted by the Government of Honduras in 1984, ensuring the equality of husbands and wives, was to be commended. She sought clarification, however, of the information contained in paragraph 124, asking whether the concept of "head of family" had been entirely eliminated from the new Family Code or whether it was only the husband's right to choose the family's place of residence which had been abolished. Her doubts were prompted by provisions elsewhere in the report, such as those in paragraph 131 relating to article 16 of the Convention, which continued to enshrine the concept of male superiority.

54. Ms. BRAVO NUNEZ DE RAMSEY said that her country, Ecuador, had legal provisions similar to those of Honduras imposing mild sentences for homicide committed by husbands against wives surprised in the act of adultery. Those abhorrent provisions had provoked protests by women's organizations in recent years, seeking their repeal. As an initial step, women's organizations had taken the matter to the courts and had secured the suspension of the provisions. She wondered whether a similar campaign was under way in Honduras to secure the repeal of that legislation, which was so detrimental to Honduran women.

Article 16

55. Ms. BUSTELO GARCIA del REAL said that she would like more information on the laws in Honduras governing economic arrangements in marriage. In her country, Spain, there was separation of property in marriage unless a specific agreement was made to establish a family patrimony. She wondered whether the same arrangements obtained in Honduras and, if so, who administered the family patrimony and who was considered the head of household.

56. Ms. EVATT asked whether the laws governing marriage also applied to de facto unions.

57. Ms. ABAKA noted, with reference to the information in paragraph 127, that boys became marriageable at the age of 18 and girls at 16; she requested an explanation for that discrepancy.

58. Ms. ILIC said that attention should be given, under the consideration of article 16, to the provisions of the Honduran Family Code concerning non-payment of subsistence, which had been covered in the part of the report dealing with article 5 of the Convention. The intention of the legislation in imposing rigorous penalties on spouses who defaulted on the payment of subsistence was good, but the legislation might be counterproductive in that the penalized spouses would lose their jobs, entailing total loss of support for the family.

59. The CHAIRPERSON said that the Committee's discussion of the Honduran report had demonstrated its sincere appreciation for the efforts made by the Government of Honduras to improve the status of women, and that the findings of the report showed that the Convention had had some impact on the Government. Certain questions remained, however, in such areas as the Penal Code, family questions, health care, AIDS, prostitution and employment, and Committee members would like to know what measures had been taken to address those questions. The report contained valuable information on the situation of women in rural areas but clarification was still needed of the real objective of the measures that were being implemented, with regard to the role of women in agricultural development.

The meeting rose at 12.40 p.m.